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11 June 2002

ATTORNEY FOR APPLICANT

June 11, 2002

DATE

P51217

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Meek, *et al.*

11 June 2002

Serial No.: 10/024,808

Filed: 19 December 2001

For: Methods and Compounds for Modulating the Activity of Bacterial FAB

PATENT & TRADEMARK OFFICE
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LICENSING & REVIEW

Attention Licensing and Review

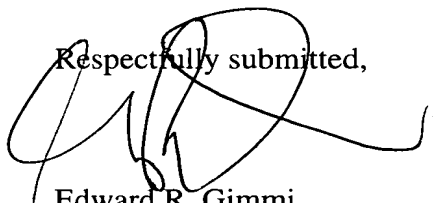
United States Department of Commerce
Patent and Trademark Office
Washington, DC 20231

RESPONSE

This letter is in response to the "Communication" mailed on 21 May 2002 which indicated that a Property Rights Statement was required.

Enclosed please find the Property Rights Statement for the subject patent application which has been fully executed by the inventors.

Respectfully submitted,



Edward R. Gimmi
Attorney for Applicant
Registration No. 38,891

GLAXOSMITHKLINE

Corporate Intellectual Property - UW2220

P.O. Box 1539

King of Prussia, PA 19406-0939

Phone (215) 270-4478

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Property Rights Statement

✓(We) **Thomas D. MEEK; Mehul PATEL; Sara H. THRALL**

all citizens of **United States of America**

all residing in **King of Prussia, Pennsylvania 19406 United States of America**

declare:

That I (we) made and conceived the invention described and claimed in patent application:

Serial Number **10/024,808**

filed in the United States of America on **19 December 2001**

titled **Methods of and Compounds for Modulating the Activity of Bacterial FabG**

(Check and complete either I or II below)

(Check III and/or IV below as appropriate)

☒ I. (*For Inventors Employed by an Organization*)

That I (we) made and conceived this invention while employed by **SmithKline Beecham Corporation**. That the invention is related to the work I am (we are) employed to perform and was made within the scope of my (our) employment duties; That the invention was made during working hours and with the use of facilities, equipment, materials, funds, information and services of **SmithKline Beecham Corporation**.

Other relevant facts are

That to the best of my (our) knowledge and belief (and/or) based upon information provided by _____ of _____.

OR

☐ II. (*For Self-Employed Inventors*) That I (we)

made and conceived this invention on my (our) own time using only my (our) own facilities, equipment, materials, funds, information and services. Other relevant facts are

That to the best of my (our) knowledge and belief:

☒ III. The invention was not made or conceived in the course of, or in connection with, or under the terms of any contract, subcontract or arrangement entered into with or for the benefit of the United States Atomic Energy Commission or its successors: Energy Research and Development Administration or the Department of Energy.

AND/OR

☒ IV. The invention was not made (conceived or first actually reduced to practice) under nor is there any relationship of the invention to the performance of any work under any contract of the National Aeronautics and Space Administration.

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The undersigned inventor(s) declare further that all statements made herein of his or her (their) own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Inventor's Signature

Post of Address: **PO Box 1539, King of Prussia, PA 19406-0939**

Date:

Inventor's Signature

Post of Address: **PO Box 1539, King of Prussia, PA 19406-0939**

Date:

Inventor's Signature

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Date:

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**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10024868-29 P 12: 42	12/19/01	MEEK, ET AL.	P51217

EDWARD R. GIMMI
SMITHKLINE BEECHAM CORPORATION
CORPORATE INTELLECTUAL PROPERTY -
U.S., UW2220
P.O. BOX 1539
KING OF PRUSSIA, PA 19406-0939

EXAMINER	
ART UNIT	PAPER NUMBER
PATENT & TRADEMARK OFFICE MAILED	

DATE MAILED: MAY 21 2002

LICENSING & REVIEW

**IF NO RESPONSE TO THIS NOTICE IS RECEIVED WITHIN FORTY-FIVE DAYS, A
FORMAL REQUIREMENT WILL BE ISSUED**

The subject matter of this application appears to:

☒ be "useful in the production or utilization of special nuclear material or atomic energy" as recited in 42 U.S.C. 2182 (Department of Energy (DOE)).

☐ "have significant utility in the conduct of aeronautical and space activities" as recited in 42 U.S.C. 2457 (National Aeronautics and Space Administration (NASA)).

Accordingly, no patent can issue on this application unless applicant(s) file a statement (under oath or in the form of a declaration as provided by 37 CFR 1.68) setting forth (1) the full facts concerning the circumstances under which the invention was made and conceived and (2) the relationship (if any) of the invention to the performance of any work under any contract or other arrangement with the Agency(ies) noted above. On the reverse side of this form is an example of an acceptable format for this statement. The language appearing in paragraphs III and/or IV of the example *must* appear if applicant is attempting to establish that no relationship (under item 2 above) exists.

If the invention disclosed in this application was developed under a contract, grant or cooperative agreement between the Agency indicated above and a person, small business or non-profit organization and rights to the invention have been determined by specific reference to 35 U.S.C. 202 in the contract, grant or cooperative agreement, then applicant need not submit the statement described above. Instead, applicant may file a verified statement (under oath or in the form of a declaration, 37 CFR 1.68) setting forth the information required by 35 U.S.C. 202(c)(6).

IF NO STATEMENT HAS BEEN RECEIVED WITHIN FORTY-FIVE DAYS OF THE MAIL DATE INDICATED ABOVE, a formal requirement for statement will then be issued. No provision is made for extension of the statutory thirty-day period for response to the formal requirement and the penalty for failure to file an acceptable and timely statement is abandonment of the application. Therefore, applicants are strongly encouraged to submit a statement at this time in order to avoid the issuance of a formal requirement.

IT IS IMPORTANT TO NOTE that the statement must accurately represent the property rights situation of the claimed invention if and when the application is found allowable. Thus, if during prosecution before the examiner, the claimed invention is so altered or the property rights situation so changed as to impact the accuracy of a statement submitted earlier, a supplemental statement must be filed. Failure to submit such additional information where appropriate may be considered a false representation of material facts and render the patent owner vulnerable to loss of patent rights and other sanctions as set forth in the statutes. The PTO will not review allowed applications for this possibility. The responsibility for complying with the statutes rests with the applicants.

Any questions regarding this requirement should be directed to Licensing and Review at (703) 305-1191.

703 305-0239

**PLEASE DIRECT ALL COMMUNICATIONS RELATING TO THIS MATTER TO THE
ATTENTION OF LICENSING AND REVIEW**